

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

V.

DANIEL MARK DAVIS,

Defendant.

**CASE NO.CR01-0031
AMENDED PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on September 16, 2005. The United States was represented by Donald Currie, the defendant was represented by Jesse Cantor. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Bank Fraud on or about December 14, 2001. The Hon. Barbara J. Rothstein of this court sentenced defendant to fifteen (15) months of confinement, followed by five (5) years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

ALLEGED VIOLATIONS AND THE DEFENDANT'S ADMISSION

USPO Timothy J. Manion alleged that the defendant violated the conditions of supervised

1 release in two (2) respects:

2 (1) Absconding from supervision on or about March 2, 2005, in violation of standard
3 condition;

4 (2) Violating New Jersey state law 2C:20-8A, Theft of the amount of \$6,000, on or about
5 March 5, 2005, in violation of standard condition.

6 .

7 At an initial hearing, I advised the defendant of these charges and of his constitutional rights. At
8 today's hearing defendant admitted the violation one and the Government dismissed, without
9 prejudice, violation two, waived any hearing as to whether it occurred, and consented to having the
10 matter set for a disposition hearing before the Hon. Ricardo S. Martinez.

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12 RECOMMENDED FINDINGS AND CONCLUSIONS

13 Based upon the foregoing, I recommend the court find that defendant has violated the
14 conditions of his supervised release as alleged; and set the matter for a disposition hearing.

15 Defendant has been detained pending a final determination by the court.

16 DATED this 29th day of September, 2005.

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MONICA J. BENTON
United States Magistrate Judge

cc: Sentencing Judge : Hon. Ricardo S. Martinez
Assistant U.S. Attorney : Donald M. Currie
Defense Attorney : Jesse Cantor
U. S. Probation Officer : Timothy J. Manion/Brian Rodgers